

**Meeting Notes – Multi-Agency MOU Work Group
September 23, 2003**

Attendees

Tom Weaver
USGS
(906) 786-0714
tlweaver@usgs.gov

William Kurtz
BIA Midwest Region
(612) 713-4400 x.1045

Clara Gatewood-Brown
Department of Homeland Security
(312) 408-5322
clara.gatewood-brown@dhs.gov

Don Hansen
USGS
(763) 783-3250
dshansen@usgs.gov

James Ruhl
BIA Midwest Region
(763) 713-4400 x.1068

Melvin Cywinski
USDA, Rural Development
(715) 345-7610
melvin.cywinski@wi.usda.gov

Edward Fairbanks
U.S. EPA
(218) 335-8167
fairbanks.ed@epa.gov

Herb Nelson
BIA Midwest Region
(612) 713-4400 x.1143

Roland Hamborg
Corps of Engineers
(651) 290-5327
roland.o.hamborg@usace.army.mil

Louis Erdrich
IHS Bemidji Area Office
(218) 444-0507
louis.erdrich@mail.ihs.gov

Jennifer Manville
U.S. EPA
(231) 922-4769
manville.jennifer@epa.gov

Agenda Topics

Administrative Business

- Manville reported that Kestutis Ambutas, who was the agency liaison from U.S. EPA and the current chair of the Work Group, has taken a position with the Menominee Tribal College. The Work Group agreed that U.S. EPA (Manville) will complete Ambutas's term as Chair. Erdrich agreed to serve as the next Chair, beginning with the February 2004 meeting. Nelson will send the master contact list to each Agency liaison for review and revision. Updated contact information should be returned to Nelson. Nelson also indicated that BIA still has boxes of the Midwest Regional Personnel Directory for tribal and agency staff. Contact Nelson if you need additional copies.
- Manville reported that no progress since May has been made on the proposed Reference Guide to Federal Water Protection Resources. Four agencies have provided information (NRCS, USGS, U.S. EPA, and USDA – Rural Development). Copies of the most recent version of the document were distributed. The Work Group agreed that the remaining agencies will review the current version of the Reference Guide and provide input to Manville by the date of the next meeting. Manville will also send an e-mail version to the Work Group.
- At the May 2003 Work Group meeting, it was decided to form a small subgroup to

consider what assistance related to homeland security can be provided tribes from the federal agencies. Neumann (U.S. EPA), Erdrich, and Gatewood-Brown volunteered to participate on the subgroup. The subgroup was to look at what existing information (tribal risk management plans, etc.) is available; what data is missing; and potential types of federal agency assistance available. The subgroup was asked to report out at the September meeting. Progress has not been made on this item. Gatewood-Brown agreed to take the lead on the subgroup.

Discussion – Developing Tribal Public Water Supply Systems

Weaver provided some background on this issue. Earlier this year, the Work Group was approached by a tribe who has a public water supply that is contaminated with EDB. The system was developed without the benefit of observation wells or aquifer tests. The issue under consideration is whether the Work Group has a role in assisting tribes to better plan public drinking water projects.

A number of ideas were discussed by the Work Group, and it was agreed that the following approaches should be pursued:

- Tribes should be encouraged to develop integrated resource management plans (IRMPs) or engage in other types of comprehensive planning exercises, in order to identify more appropriate locations for public drinking water supplies.
- Tribes should be encouraged to develop water resource assessments/investigations for their reservations/trust lands. These projects would evaluate a tribe's water resources through inventorying wells and well log information, collecting water samples, developing hydrological maps, identifying recharge/discharge areas, direction of groundwater flow, etc. This information is useful for public water supply development, as well as for other purposes such as waste water disposal and planning development projects. The USGS, BIA, and the U.S. EPA all have sources of funding for water resource assessments. Hansen agreed to locate a copy of a model scope of work for a water resource assessment and provide to the Work Group. Along with some additional information on water quality, this material could be used as a baseline list of information that tribes could use during the development of public water supplies.
- The contaminant survey process that tribes use to evaluate potential risks associated with a parcel of property could include an assessment of the potential use of the property and whether services (drinking water, wastewater treatment, etc.) can be provided.
- Ensure that resources (technical and financial) for developing public water supplies are included in the Reference Guide to Federal Water Protection Resources discussed above.

Tribal Open Forum

No tribal representatives attended the meeting.

Federal Roundtable

Weaver reported that USGS in Michigan is finishing a comprehensive water resources investigation for the Huron Potawatomi Band. Source water protection plans are under development with the Keweenaw Bay Indian Community (including one for a surface water system, which may be the first for a tribe in the Midwest). There is also on-going work with the Sault Ste. Marie Tribe on groundwater investigations at the Odenaang housing site.

Erdrich indicated that IHS will soon have an opening posted in Grand Rapids, Michigan for an engineer. The new IHS training schedule has been issued and courses can be reviewed at the IHS website. Dr. Charles Grimm has been confirmed as the new Director at IHS.

Gatewood-Brown stated that \$30,000 has been awarded to the Grand Traverse Band for a Community Emergency Response Team training workshop to be held December 9-12, 2003. A Tribal Homeland Security newsletter has been developed and distributed via e-mail. A tribal strategy for the Department of Homeland Security is under development. However, there is no budget and the formation of a separate tribal office is not promising.

Hansen reported that USGS in Minnesota is working with the Grand Portage Band on a water quality investigation and a proposal to evaluate fracture flow for a public water supply project. White Earth is working on a water level project at Lost Lake. At Prairie Island, USGS has a project to investigate emerging contaminants at Sturgeon Lake. In addition, USGS will be working with Shakopee on an aquifer test and with Upper Sioux on a water resources inventory. USGS has a national training center in Denver, and Hansen will provide a hard copy of the course list to Nelson.

Hamborg provided information on the Army Corps of Engineers funding programs for tribal projects. Please see handouts included with these meeting notes.

Ruhl indicated that BIA has funded 2 water technicians at Red Cliff and Stockbridge-Munsee. The FY'04 water resource funding proposals have been submitted to BIA Central Office for selection. Nelson stated that Dave Anderson (Lac Courte Oreilles member) is a potential candidate for the Director of BIA. The Department of Interior and BIA recently met with the Region 5 Superfund Division and discussed the possibility of using the Brownfields Program to clean-up properties for placement in trust status. There will be a BIA realty training session March 30-April 1, 2004. The Keweenaw Bay Indian Community IRMP has been completed. The new IRMP coordinator for BIA is Michael Bennett. BIA is interested in scheduling IRMP training in Wisconsin. BIA will be receiving an FTE for a GS-12 environmental protection specialist to serve as a NEPA coordinator. The Midwest Regional Office recently completed a data gap analysis for oil discharges and hazardous substance releases. A NEPA/Contaminant Survey Training Workshop was recently held in Alaska. The next location in the Midwest will be in Minnesota in the June/July 2004 timeframe.

Cywinski reviewed a number of USDA Rural Development projects in Wisconsin. Rural

Development has funded water distribution systems at Stockbridge-Munsee, Menominee, and St. Croix. A multi-unit housing project at Lac du Flambeau, health clinic at Ho-Chunk, and a day care center at Red Cliff have also been funded. There will be an architect position and an engineer position (GS-12s) opening soon at the Stevens Point office.

Fairbanks indicated that U.S. EPA Region 5 will be sponsoring a tribal lead conference on October 28-30, 2003, at the Upper Sioux Community. On November 18-19, 2003, the Fond du Lac Band will be sponsoring a conference on environmental regulation in Indian Country. Manville reported that the U.S. EPA will be sponsoring a National Tribal Air Association meeting the first week in October. There will be a national Brownfields Conference in Portland, Oregon on October 27-29, 2003. U.S. EPA Region 5 is wrapping up the annual strategic planning process with the tribes. For each tribe, there should be information on: (1) base program funding needs; (2) environmental priorities over the next 3 years; (3) tribal interest in jointly working with the Agency to implement statutory responsibilities. The U.S. EPA will likely publish in November 2003 in the Federal Register, an "Advanced Notice of Proposed Rulemaking for Federal Water Quality Standards for Waters in Indian Country".

Next Meeting

The next meeting of the Work Group is tentatively scheduled for 8:30am – 12:00 pm on December 09, 2003, in Traverse City, Michigan. The meeting will be coordinated in conjunction with the Department of Homeland Security CERT Training Conference. Suggestions for agenda items should be forwarded to Jennifer Manville either via fax (231.922.4499) or e-mail at manville.jennifer@epa.gov.